

### Remarks

Applicants respectfully request reconsideration of this application as amended. Claims 1, 4, 9, 19 and 28 have been amended. Claims 12, 15-18 and 23-27 were previously cancelled without prejudice. No new claims have been added. Therefore, claims 1-11, 23-14, 19-22 and 28-30 are presented for examination.

### 35 U.S.C. § 103 Rejection

Claims 1-11, 13, 14, 19-22 and 28-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Rajasekharan, et al., U.S. Patent No. 6,480,961 (“Rajasekharan”) in view of Banker, et al., U.S. Patent No. 6,005,938 (“Banker”).

Claim 1 recites:

A method comprising:  
receiving a request for a data stream from a client;  
sampling the data stream;  
generating one or more fingerprint blocks for one or more sampled portions of the data stream;  
transmitting the one or more fingerprint blocks to the client via a first connection; and  
transmitting the data stream on-demand to the client via a second connection, wherein the on-demand transmitting of the data stream includes simultaneous transmission or delayed transmission according to a demand.

(emphasis provided)

Applicants respectfully disagree with the Examiner’s characterization of the references. Rajasekharan and Banker, neither individually nor when combined, teach or reasonably suggest on-demand transmitting of the data stream as recited by claim 1. Further, neither Rajasekharan nor Banker, individually or when combined, teach or reasonably suggest transmitting the data stream in simultaneous transmission or delayed transmission according to a demand as recited by claim 1.

Rajasekharan discloses a method and apparatus for secure streaming of digital

audio/visual content. Authorization and integrity checks are performed by a client or playback device on a set of data associated with digital content to be played. The set of data includes authorization and integrity information for content to be received from the source. Streamed content is received from the source by the playback device. The streamed content is intermittently checked for authorization and integrity. If the check is passed, playback continues, otherwise playback is halted. (Abstract).

Banker discloses a technique for preventing replay attacks on digital information distributed by network service providers. Communication is provided between set-top box and head-end or between set-top boxes and the set-top boxes. Also, both EMMs and ECMs are sent as packets of digital data, while service interface may be sent either in digital or analog form (Abstract; col. 6, lines 48-54).

Nowhere in Rajasekharan and Banker, neither individually nor when combined, is taught or reasonably suggested the features of on-demand transmitting of the data stream or on-demand transmitting of the data stream including simultaneous transmission or delayed transmission according to a demand as recited by claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

Independent claims 4, 9, 19 and 28 contain limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 4, 9, 19 and 28 and their dependent claims.

### **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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Date: 01-12-06

  
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